

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

RAUL ARELLANO, JR.,

Plaintiff,

Case No.: 15-CV-2247 JLS (JLB)

V.

DR. K. DEAN, et al.,

## Defendants.

## ORDER STAYING ACTION

On March 26, 2020, Plaintiff Raul Arellano, Jr., a state prisoner proceeding *pro se*, filed a Motion to Appoint Counsel (“Mot.”, ECF No. 117). The Pro Bono Panel has been unable to appoint Plaintiff an attorney due to the COVID-19 national emergency.

“District courts have inherent authority to stay proceedings before them.” *Rohan ex rel. Gates v. Woodford*, 334 F.3d 803, 817 (9th Cir. 2003), *abrogated on other grounds by Ryan v. Gonzales*, 568 U.S. 57 (2013). “[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936).

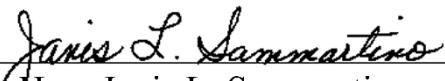
After considering the totality of the circumstances of this litigation, including the

1 stage of litigation, and whether a stay would cause undue prejudice or present a clear  
2 disadvantage to Plaintiff, the Court determines that staying the case will best conserve  
3 judicial and party resources.

4 Accordingly, this action is **STAYED** for ninety (90) days from the date of this Order.  
5 After the ninety-day period, the stay will be lifted and proceedings will resume in this  
6 Court. It is further ordered that Plaintiff's Motion to Appoint Counsel (ECF No. 117) is  
7 **DENIED** without prejudice. Plaintiff **MAY REFILE** any Motion for Appointment of  
8 Counsel within forty-five (45) days after the stay is lifted.

9 **IT IS SO ORDERED.**

10 Dated: October 16, 2020

  
11 Hon. Janis L. Sammartino  
12 United States District Judge

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28